

Exhibit 7

*State of California ex. rel. Ven-A-Care of the Florida Keys, Inc. v.
Abbott Laboratories, Inc., et al.*

Exhibit to the Declaration of Nicholas N. Paul in Support of
Plaintiffs' Opposition to Defendants' Joint Motion for Partial Summary Judgment

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UNITED STATES DISTRICT COURT

DISTRICT OF MASSACHUSETTS

-----x
IN RE PHARMACEUTICAL INDUSTRY)

AVERAGE WHOLESALE PRICE)

LITIGATION)

_____)

THIS DOCUMENT RELATES TO) MDL No. 1456

State of California, ex rel.) Civil Action:

Ven-A-Care v. Abbott) 01-12258-PBS

Laboratories, Inc., et al.)

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VOL. II

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MONDAY, SEPTEMBER 22, 2008

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VIDEOTAPED DEPOSITION OF

J. KEVIN GOROSPE, Pharm.D.

--oOo--

Reported By: CAROL NYGARD DROBNY, CSR No. 4018

Registered Merit Reporter

Henderson Legal Services, Inc.

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1 Q. Do you have an understanding of the
2 magnitude -- difference between actual acquisition
3 costs and AWPs for the drugs that are in the
4 California Complaint?

5 MR. BENNETT: Objection to form.

6 THE WITNESS: No, I don't.

7 BY MR. PAUL:

8 Q. At any time in your career at DHCS have
9 you ever received any communication of any sort
10 from Mylan explaining the differences between the
11 AWPs it reports and providers' actual acquisition
12 costs?

13 A. Not that I can recall.

14 Q. At any time in your career at DHCS have
15 you ever received any communication of any sort
16 from Sandoz explaining the differences between the
17 actual acquisition costs for its drugs and Sandoz's
18 reported AWPs?

19 A. Not that I can recall.

20 Q. I won't restate the question each time,
21 but the same question regarding Dey
22 Pharmaceuticals?

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1 A. Not that I recall -- not that I can
2 recall, no.

3 Q. And Warrick?

4 A. Again, the answer is no.

5 Q. Schering?

6 A. No.

7 Q. Counsel for Sandoz showed you a letter
8 addressed to Gail Margolis dated December 13th,
9 2004. I think for the record that's Exhibit 58.

10 MS. BERWANGER: Objection to form. I
11 don't believe I showed him that.

12 MR. PAUL: I'm sorry?

13 MS. BERWANGER: I don't believe I showed
14 him that exhibit.

15 MR. PAUL: Do I have the wrong number?

16 I'm sorry, counsel. I'm sorry.

17 BY MR. PAUL:

18 Q. Counsel for Warrick showed you a letter
19 addressed to Gail Margolis, and it's marked as
20 Exhibit 58, and I think Mr. Bennett also showed you
21 Exhibit 60.

22 No?